

APPROVED JULY 16, 2015

The regular meeting of the Douglas County Board of Commissioners was held on June 18, 2015 in the meeting room of the Tahoe Transportation Center, 169 Highway 50 East, Stateline, Nevada, beginning at 1:30 p.m.

COMMISSIONERS PRESENT: Doug N. Johnson, Chairman; Nancy McDermid, Vice Chairwoman; Greg Lynn, Commissioner; Barry Penzel, Commissioner and Steve Thaler, Commissioner.

STAFF PRESENT: Sheriff Ron Pierini, DCSO; Sgt. Pat Brooks, DCSO; Justina Caviglia, Deputy District Attorney; Jim Nichols, County Manager; Christine Vuletich, Assistant County Manager/CFO; Kathy Lewis, Clerk-Treasurer; Tod Carlini, EFFF Chief; Wendy Lang, Acting Human Resources Manager; Carl Ruschmeyer, Public Works Director; Jon Erb, Civil Engineer III; Erik Nilssen, County Engineer; Marcie Schurke, Budget Analyst II; Vicki Moore, Accountant; Vicky Derner, Chief Deputy Clerk; and Laure Penny, Clerk to the Board.

INVOCATION

Not held.

PLEDGE OF ALLEGIANCE

Steve Thaler led the Pledge of Allegiance.

PUBLIC COMMENT (No Action)

Shawnyne Garren commented she had attended the Financial State of the County meeting and wanted to thank everybody for the six employees that were recognized for their excellent work.

Natalie Yanish wanted to speak in support of the Douglas County Sewer District Improvement project for the reservoir on Stockyard. She was speaking as a resident but she is also a Kingsbury General Improvement District (KGID) Trustee. The KGID held a rate workshop because they are going to need to build a new plant down by the Lake. The KGID is looking at about a 36% overall rate increase in the upcoming years. She'd like to see the sewer facility infrastructure issue solved in a fiscally responsible manner such as being proposed along with the new plant project at the Lake.

Ann Grant wanted to speak in support of the storm water reservoir project for the sewer district in Tahoe. She would like to see resources available being used to offset the cost of the project and not have to raise the sewer rates of the Tahoe Township. She believes the aggregate from the project could be used in different areas within

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Douglas County. She stated a lot of the residents in the Tahoe Township are on fixed incomes and it would be a huge burden on them if there was a rate increase.

Public comment closed.

APPROVAL OF AGENDA

For possible action. Approval of proposed agenda.

MOTION by McDermid/Lynn to approve the agenda with Items 1f, 1g, 1j & 1k being pulled for further discussion; carried unanimously.

APPROVAL OF PREVIOUS MINUTES

For possible action. Approval of the Board Minutes of May 21, 2015 - Work Session and May 21, 2015 - Regular Meeting

McDermid/to approve the Minutes for May 21, 2015 - Work Session and Regular Meeting; carried unanimously

CONSENT CALENDAR

MOTION by McDermid/Penzel to approve the Consent Calendar with Items 1f, 1g, 1j & 1k being pulled for further discussion.

FINANCE

1a. For possible action. Report on general ledger cash balances through May 29, 2015 per NRS 251.030. (Katherine Bradshaw)

MOTION to approve;

1b. For possible action. Discussion on Resolution 2015R-032, Douglas County, which augments fiscal year 2014-15 budgets by \$12,194,769. (Christine Vuletich)

MOTION to adopt;

1c. For possible action. Discussion on Resolution 2015R-034, East Fork Fire Protection District, which augments fiscal year 2014-15 budgets by \$304,802. (Christine Vuletich)

MOTION to adopt;

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1d. For possible action. Discussion on Resolution 2015R-035, East Fork Paramedic District, which transfers out the ending fund balance for fiscal year 2014-15 in the amount of \$170,186 to the East Fork Fire Protection District Fund. (Christine Vuletich)

MOTION to adopt;

1e. For possible action. Discussion on Resolution 2015R-037, Town of Gardnerville, which augments fiscal year 2014-15 budgets by \$33,050. (Christine Vuletich)

MOTION to adopt;

CLERK-TREASURER

1f. For possible action. Discussion to approve, with conditions, an Outdoor Festival Permit submitted by the Hard Rock Hotel & Casino, for six Hard Rock Outdoor Summer Concerts, scheduled for various dates beginning June 27 through September 6, 2015, from 12 p.m. to 10:30 p.m., to be held at the Arena located in the back parking lot of the Hard Rock Hotel, Stateline, Nevada. (Kathy Lewis)

This item was pulled for further discussion.

1g. For possible action. Discussion to approve, with conditions, an Outdoor Festival Permit submitted by the Hard Rock Hotel & Casino, for two additional Outdoor Summer Concerts, scheduled for July 24 & 25, 2015, from 12 p.m. to 10:30 p.m., to be held at the Arena located in the back parking lot of the Hard Rock Hotel, Stateline, Nevada. (Kathy Lewis)

This item was pulled for further discussion.

1h. For possible action. Discussion to approve receipt and filing of Cumulative Voucher Sheets for checks issued for the 05/08/2015 Payables, the 05/15/2015 Payables, the 05/15/2015 Payroll, the 05/18/2015 Payables, the 05/22/2015 Payables, the 5/26/2015 Payables, the 5/27/2015 Payables, the 05/29/2015 Payables, and the 05/29/2015 Payroll. (Terry Lundergreen)

MOTION to approve;

HUMAN RESOURCES

1i. For possible action. Discussion on the renewal proposal from the Nevada Public Agency Insurance Pool (POOL) in an amount not to exceed \$643,309.67 for FY2015-2016, a decrease of \$9,721.19 from the prior year. (Wendy Lang)

MOTION to approve;

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1j. For possible action. Discussion on the Ninth Memorandum of Understanding between Douglas County and the Douglas County Employee's Association (DCEA) with financial impact of \$40,371, as budgeted, in regards to classification of employees and associated salary ranges, the full cost of the 2.25% PERS increase, and maintaining the current contract until the new contract is approved. (Wendy Lang)

This item was pulled for further discussion.

1k. For possible action. Discussion to approve hiring Scott McCullough as Construction Project Manager, grade 59, in County Manager's Office at an annual salary of \$87,006.40, which is above mid-point of salary range, and as approved in FY 15/16 budget. (Wendy Lang)

This item was pulled for further discussion.

DISTRICT COURT

1l. For possible action. Discussion to approve acceptance of a National School Lunch Program (NSLP) Equipment grant award from the Nevada Department of Agriculture Food and Nutrition Division for FY14-15 and FY15-16 to the China Spring Youth Camp in the amount of \$5,438. (Wendy Garrison)

MOTION to approve;

COUNTY MANAGER

1m. For possible action. Discussion to approve a Cooperative Agreement between Douglas County and the Douglas County School District for project management services provided to the School District on a time and materials basis, with no net cost to the County. All work performed by the Construction Project Manager (CPM) will be billed to the District per the agreement and will cover the CPM's costs. (James Nichols)

MOTION to approve;

1n. For possible action. Discussion to approve a Cooperative Agreement between Douglas County and the East Fork Swimming Pool District for project management services provided to the Swimming Pool District on a time and materials basis, with no net cost to the County. All work performed by the Construction Project Manager (CPM) will be billed to the District per the agreement and will cover the CPM's costs. (James Nichols)

MOTION to approve;

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PUBLIC WORKS

1o. For possible action. Discussion on the execution of Change Order #2 for the Johnson Lane Erosion Repair Project in the amount of \$41,379. (Jon Erb)

MOTION to approve;

COMMUNITY DEVELOPMENT

1p. For possible action. Discussion to award a contract for construction services for the Pamela Place Storm Drain Improvements to Armac Construction L.L.C, in an amount not to exceed \$52,500 as budgeted in FY14/15, and authorize the County Engineer to approve contract amendments up to 10% of the contract amount. (Erik Nilssen)

MOTION to approve;

DOUGLAS COUNTY LIQUOR BOARD

1q. For possible action. Discussion to approve the On-Site Unrestricted Retail Liquor License for Michael A. Fayer, representing Philadelphia Sandwich Co, LLC dba Asiago's Pizzeria & Deli. Michael A.Fayer has signed a Waiver of Notice of Hearing. Asiago's Pizzeria & Deli is located at: 195 Hwy 50, Suite 105, Stateline, Nevada 89449. (Sergeant Pat Brooks)

MOTION to approve;

SHERIFF

1r. For possible action. Discussion to approve a contract between Douglas County and John R. Holman, MD to provide medical services to all inmates incarcerated in Douglas County Detention Facilities, at a cost of \$8,820 per month, as provided for in the FY 2015/2016 budget. (Captain Duffy)

MOTION to approve;

1s. For possible action. Discussion to approve a contract between Douglas County and Joseph E. McEllistrem to provide mental health services to all inmates incarcerated in Douglas County Detention Facilities, at an annual cost of \$44,537 (\$3,714/per month), as budgeted in the FY 2015/2016 budget. (Captain Duffy)

MOTION to approve;

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TECHNOLOGY SERVICES

1t. For possible action. Discussion to approve an extension to the existing interlocal agreement in which Douglas County provides Geographic Information Systems (GIS) services to Carson City. (Eric Schmidt)

MOTION to approve;

MOTION; carried unanimously

ADMINISTRATIVE AGENDA

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:

1f. For possible action. Discussion to approve, with conditions, an Outdoor Festival Permit submitted by the Hard Rock Hotel & Casino, for six Hard Rock Outdoor Summer Concerts, scheduled for various dates beginning June 27 through September 6, 2015, from 12 p.m. to 10:30 p.m., to be held at the Arena located in the back parking lot of the Hard Rock Hotel, Stateline, Nevada. (Kathy Lewis)

Chairman Johnson stated for the record he would have to abstain from this item as he works part-time at the Hard Rock.

Vice Chairman McDermid asked if there was anybody that wished to speak to this item.

Eric Guevin, Tahoe Douglas Fire Marshall, commented they have the operational permit in place and have been working with Paul Reder. They had initially requested a deposit of \$10,000 to cover the cost of the standby services for the whole concert series but have since discussed it and they decided to reduce it to \$5000. Vice Chairwoman McDermid asked Fire Marshall Guevin if providing the standby services for the concerts puts Tahoe Douglas in a shortage of personnel if there is a fire. Fire Marshal Guevin responded no they have ambulances and engines on standby for any fires.

No public comment.

Vice Chairwoman McDermid commented they have not ever had music lasting from 12:00 p.m. to 10:30 p.m. in this location. She hoped the Hard Rock will be sensitive to the businesses and residents in the area.

Brian Davis, Edgewood Tahoe, commented they have had good conversations with Paul Reder and they are prepared to work together so that the concerts have a

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minimum impact on the businesses, golfing and wedding parties. He looks forward to keeping in close contact so that everybody concerned is happy.

Paul Reder, PR Entertainment, wanted to let the Board know they have done their due diligence to make concessions by moving the stage so it will have minimal impact on the Edgewood Clubhouse. He stated they will be available to Edgewood if there are any issues with the sound being too loud.

MOTION by Lynn/Penzel to approve, with conditions, the Outdoor Festival Permit submitted by the Hard Rock Hotel & Casino, for six Hard Rock Outdoor Summer Concerts, scheduled for various dates beginning June 27 through September 6, 2015, from 12 p.m. to 10:30 p.m., to be held at the Arena located in the back parking lot of the Hard Rock Hotel, Stateline, Nevada; carried unanimously with Johnson abstaining.

1g. For possible action. Discussion to approve, with conditions, an Outdoor Festival Permit submitted by the Hard Rock Hotel & Casino, for two additional Outdoor Summer Concerts, scheduled for July 24 & 25, 2015, from 12 p.m. to 10:30 p.m., to be held at the Arena located in the back parking lot of the Hard Rock Hotel, Stateline, Nevada. (Kathy Lewis)

Chairman Johnson stated for the record he would have to abstain from this item as he works part-time at the Hard Rock.

No public comment.

MOTION by Lynn/Thaler to approve, with conditions, the Outdoor Festival Permit submitted by the Hard Rock Hotel & Casino, for two additional Outdoor Summer Concerts, scheduled for July 24 & 25, 2015, from 12 p.m. to 10:30 p.m., to be held at the Arena located in the back parking lot of the Hard Rock Hotel, Stateline, Nevada; carried unanimously with Johnson abstaining.

1j. For possible action. Discussion on the Ninth Memorandum of Understanding between Douglas County and the Douglas County Employee's Association (DCEA) with financial impact of \$40,371, as budgeted, in regards to classification of employees and associated salary ranges, the full cost of the 2.25% PERS increase, and maintaining the current contract until the new contract is approved. (Wendy Lang)

Wendy Lang, Acting Human Resources Manager, explained she pulled this item per DCEA's request because some of the language had been changed. She stated the substance of the Memorandum of Understanding (MOU) stayed the same however they needed to clarify for the PERS increase that the County is not paying the entire

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cost. The County is actually paying the employees' share in lieu of a basic salary increase. It needs to be stated this way to stay in compliance with NRS 286.421.

No public comment.

MOTION by McDermid/Lynn to approve the Ninth Memorandum of Understanding between Douglas County and the Douglas County Employee's Association (DCEA) with financial impact of \$40,371, as budgeted, referencing the amended information; carried unanimously.

1k. For possible action. Discussion to approve hiring Scott McCullough as Construction Project Manager, grade 59, in County Manager's Office at an annual salary of \$87,006.40, which is above mid-point of salary range, and as approved in FY 15/16 budget. (Wendy Lang)

Commissioner Thaler stated for the record he would have to abstain from this item as he is personal friends with Mr. McCullough.

No public comments.

MOTION by McDermid/Penzel to approve hiring Scott McCullough as Construction Project Manager, grade 59, in County Manager's Office at an annual salary of \$87,006.40, which is above mid-point of salary range, and as approved in FY 15/16 budget; carried unanimously.

DOUGLAS COUNTY LIQUOR BOARD

2. For possible action. Discussion on a Special Event Entertainment Endorsement Application submitted by Marie Lekumberry, representing J. T. Basque Bar & Dining Room for an Accordion Band – Basque Folk Dance Event on Friday, August 7, 2015 from 8:00 pm until 11:00 pm, with an anticipated attendance of approximately 200 people. J.T. Basque Bar & Dining Room is located at: 1426 Hwy 395, Gardnerville, Nevada 89410. (Sergeant Pat Brooks)

Sgt. Pat Brooks, DCSO, provided a brief summary of this Special Event Entertainment Endorsement Application.

No public comment.

MOTION by McDermid/Penzel to approve a Special Event Entertainment Endorsement Application for an Accordion Band – Basque Folk Dance Event on Friday, August 7, 2015, submitted by Marie Lekumberry, representing J. T. Basque Bar & Dining Room; carried unanimously.

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3. For possible action. Discussion on a Special Event Entertainment Endorsement Application submitted by Kevin Mary, representing Minden Meat and Deli for a live entertainment event on Wednesday, June 24, 2015, beginning at 3:00 pm and ending at 8:00 pm, with an expected attendance of approx. 200-300 people. Minden Meat and Deli is located at: 1595 US Highway 395, Minden, Nevada. (Sergeant Pat Brooks)

Sgt. Pat Brooks, DCSO, provided a brief summary of this Special Event Entertainment Endorsement Application.

No public comment.

MOTION by McDermid/Lynn to approve a Special Event Entertainment Endorsement Application for a live entertainment event on Wednesday, June 24, 2015, submitted by Kevin Mary, representing Minden Meat and Deli; carried unanimously.

EAST FORK BOARD OF FIRE COMMISSIONERS

4. For possible action. Discussion on the Cost Allocated Services Agreement between Douglas County and the East Fork Fire Protection District in the amount of \$87,673.25 quarterly as budgeted for FY 2015/16. (Chief Carlini)

Chief Tod Carlini, EFFD, explained the agreement before the Board is for FY 2015/16 and covers the cost allocations that are charged back by Douglas County to the District for indirect services that the District receives. The total is \$87,673 quarterly and that amount is budgeted within the approved budget for FY 2015/16. His recommendation is to approve the agreement.

No public comment.

MOTION by McDermid/Thaler to approve the Cost Allocated Services Agreement between Douglas County and the East Fork Fire Protection District in the amount of \$87,673.25 quarterly as budgeted for FY 2015/16; carried unanimously.

EAST FORK FIRE

5. For possible action. Discussion on the Cost Allocated Services Agreement between Douglas County and the East Fork Fire Protection District in the amount of \$87,673.25 quarterly as budgeted for FY 2015/16. (James Nichols)

James Nichols, County Manager, commented he had nothing to add to what Chief Carlini stated above but he was available for questions.

No public comment.

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MOTION by McDermid/Penzel to approve the Cost Allocated Services Agreement between Douglas County and the East Fork Fire Protection District in the amount of \$87,673.25 quarterly as budgeted for FY 2015/16; carried unanimously.

HUMAN RESOURCES

6. For possible action. Discussion on revision of annual leave policy 200.36 of the Douglas County Administrative Policies and Procedures, adjusting the annual leave accrual rates and maximum annual leave banks for Douglas County employees who are not represented by a labor organization. (Wendy Lang)

Wendy Lang, Acting Human Resources Manager, stated they are requesting to revise the existing annual leave policy. The revisions are based upon the results of the Classification and Compensation Study conducted by Pontifex. She provided a summary of the annual leave increases. There will also be a change to the amount of annual leave that can be carried over.

Commissioner Lynn asked Ms. Lang what the fiscal impact would be. Ms. Lang responded it is not a budgeted line item. It is absorbed into operational costs.

Commissioner Thaler asked if the Annual Leave Buy Back Program that was put on hold and is now coming back. Ms. Lang responded the Annual Leave Buy Back Program is part of this policy but the language in the policy does say each year the County will determine whether or not to have it. Commissioner Thaler asked if the Buy Back Program is budgeted. Ms. Lang responded no it's not.

Commissioner Penzel commented if the County doesn't have the money for the Buy Back Program then they won't do it.

Commissioner Thaler is worried if a decision is not made until the end of the year then the County will get into a time crunch where a lot of people are requesting time off in December so they don't lose their time.

James Nichols, County Manager, commented they would not enact the program at the last minute. Employees would have advance notice if program was to be reinitiated.

No public comment.

MOTION by McDermid/Thaler to approve the revision of annual leave policy 200.36 adjusting the annual leave accrual rates and maximum annual leave banks for

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Douglas County employees who are not represented by a labor organization; carried unanimously.

7. For possible action. Discussion on the implementation of new job positions, classification system, and pay ranges from the Classification and Compensation Study conducted by Pontifex Consulting Group, LLC. (Wendy Lang)

Wendy Lang, Acting Human Resources Manager, stated as budgets allow the new pay ranges will be adopted over the course of the next three fiscal years so they are asking for the Board's approval to start using the new job descriptions, titles, and the Fair Labor Standards Act (FLSA) exemption statuses were applicable. Ms. Lang provided a summary of how they would move employees up to the appropriate pay ranges. She did clarify there would be no pay reductions.

James Nichols, County Manager, stated to minimize the inequity issue any pay range that needs to be raised will be done in concert with any employees that are currently paid outside or below that pay range. The wages and the bottom of the range will be brought up incrementally at the same time by the same amount. They are not proposing to bring the bottom of the pay range up to its full value at one time, they will do it in concert with those employees who are currently below that level so they raise at the same level each year until they reach that bottom so no employees will be paid at the bottom of the pay range at any time.

Commissioner Lynn commented the inequity will arise from new hires that start at the bottom and the existing employees in the same range who are below the bottom. Mr. Nichols responded he believes where somebody might perceive there is inequity is when a current employee gets raised to the bottom of the pay range and a new employee comes in at that same amount, the existing employee may think it's not fair because they have been with the County longer and should be making more. Unless a hiring manager brings somebody in above the minimum then a new employee wouldn't necessarily make more than a current co-worker who is also making that same minimum amount.

Commissioner Thaler commented he was still having a tough time grasping the concept. Mr. Nichols responded using hypothetical numbers (\$15.00 being the current bottom amount and \$17.00 being the proposed bottom amount) what they would do the first year of the 3 years, they would bring the bottom (\$15.00) to a higher level (\$16.00) all employees which were making \$15.00 would be brought up to \$16.00; any new employee hired at that time would be brought in at \$16.00 unless the hiring manager wanted to bring them in higher. Commissioner Thaler asked when the decision would be made to move the bottom range up. Mr. Nichols responded we have been able to evaluate our current finances and year one would be up to a \$1.00 movement those minimums and those employees below minimum

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would be raised in the first year. And that would be the first step we take as of July 1, 2015 to get us towards full implementation of the Comp and Class study. Commissioner Thaler asked if we were taking non-exempt employees and making them exempt and if so is there a dollar figure attached to that. Typically non-exempt employees make overtime and when you take them from non-exempt to exempt they are giving up their overtime. Ms. Lang responded there is no dollar figure associated with that. She did evaluate historical overtime earnings of the non-exempt employees. With the overtime savings they will be able to give some employees a small bump in pay to help make up for losing their overtime.

Commissioner Penzel asked Mr. Nichols if he could take the theoretical numbers used above and explain the second and third year increases to them. Mr. Nichols responded in the first year we went from \$15.00 to \$16.00; in year two the budget is evaluated and hopefully they find they can raise the bottom line from \$16.00 to \$16.50 and again those employees who were at \$16.00 get bumped up to \$16.50; in the third year they evaluate the budget and bump the employees making \$16.50 to \$17.00. If a merit increase is approved then it will be factored into the process as well.

Commissioner Thaler asked how much did negotiations drive this and do we implement if negotiations aren't going well? Mr. Nichols responded this is not an either/or. It's working in concert. They have to respect the negotiation process and the end result of that. By the same token we are also trying to respect the integrity of the Comp and Class study. One isn't driving the other. They are happening simultaneously.

Commissioner Lynn stated they are carrying out a commitment to treat our employees as valued assets. And he thanked Mr. Nichols for making the process clearer.

PUBLIC COMMENT

Shawnyne Garren, DCEA President, stated there will remain a concern among the employees through the three year implementation of the Comp and Class study. She wanted to know, in regards to non-represented employees, if a merit increase helps get an employee closer to the proposed bottom range or is it separate. They just want to make sure one does not replace the other.

Jenifer Davidson, Minden Town Manager, thanked the Commissioners for the questions they asked during this item and she felt some of them may have been prompted by some correspondence she has had with them via email and she appreciated the clarification. These types of details were details she was hoping to see included in the background information so she could bring it to the Town Board for

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additional discussion. She wanted to second Ms. Garren's comments regarding the employees' concerns with the merit being done in parity with the adjustments to the bottom of the range scale and keeping in mind how those might impact employees.

Wendy Garrison, China Springs Youth Camp Director, commented she had brought some concerns previously to the Board when they discussed the Comp and Class implementation and since that time she has meet with Human Resources, discussed it with the District Court Judge and has had correspondence from Jim Nichols and most of the Camp issues at this point have been resolved. The only concern left for them is the bottom of the pay scale for their Youth Counselor I position. They are finding it difficult to find people to fill the position and then retain them. She looks forward to further discussions.

Public comment closed.

Chairman Johnson commented this is a positive thing and we will work through all the issues. Mr. Nichols stated there have been some valued points and questions being asked. They will work through all the details.

MOTION by McDermid/Lynn to approve the implementation of new job positions, classification system, and pay ranges from the Classification and Compensation Study conducted by Pontifex Consulting Group, LLC.; carried unanimously.

8. For possible action. Discussion on Resolution 2015R-051 authorizing the payment of the 2.25% PERS contribution rate increase effective July 1, 2015 for Douglas County employees who are not represented by a labor organization for FY15/16. The total estimated fiscal impact for the proposed change in employee compensation for non-represented employees is approximately \$182,846 in salaries and benefits. (Wendy Lang)

Wendy Lang, Acting Human Resources Manager, explained they had amended this Resolution to clarify the language. This ensures that the County stays in compliance with NRS as the County desires to provide a cost of living adjustment to impacted employees of the regular PERS increase and offsetting that 1.125% share that the employees typically bare under NRS and County policy.

James Nichols, County Manager, commented this is a onetime situation and not a policy change by the County. The Board may consider it again in the future but nothing today will mandate it.

Commissioner Lynn commented this is an implementation of a policy that we have adopted that values our employees.

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PUBLIC COMMENT

Shawnyne Garren, DCEA President, commented she appreciated the cooperation of the County in preventing the employees from taking another pay reduction.

Public comment closed.

MOTION by McDermid/Thaler to approve Resolution 2015R-051 with the amended language; carried unanimously.

9. For possible action. Discussion on Resolution 2015R-052 providing for merit increases of up to 4% for FY2015/16 for Douglas County employees who are not represented by a labor organization. The total estimated fiscal impact for the proposed change in employee compensation for non-represented employees is approximately \$325,881 in salaries and benefits. (Wendy Lang)

Wendy Lang, Acting Human Resources Manager, explained merit increases have been frozen since 2011 and in FY 2015/16 funds are sufficient in the personnel budget so that a merit increase up to 4% can be awarded based upon an employee's Annual Performance Evaluation. The current merit system scale of zero to six percent would be continued to be utilized under this proposal with any score that resulted in the employee receiving a four, five or six percent increase, the increase to base pay would only be four percent.

Commissioner Thaler asked if this is a one year Resolution or is the County reinstituting the Pay for Performance Plan and will address it each year. Ms. Lang responded she wouldn't go as far to say it's a one year although in FY 2015/16 funds are sufficient. Because this is a non-represented group they are not making any commitments specifically to how long this will go it is something that needs to be evaluated annually to make sure the County can afford it.

PUBLIC COMMENT

Shawnyne Garren, DCEA President, stated she didn't really have a comment but a question. She asked if the items presented today between the PERS contribution for the represented & non-represented employees and the merit increases for the non-represented were going to come out of the General Fund. Mr. Nichols responded they didn't have that information right now but they would get back to Ms. Garren. What information he could provide was the PERS element was budgeted separately. Mr. Nichols stated as Ms. Garren pointed out this is not just for General Fund employees so there will be some research they need to do to get that information but they are confident that the County has enough to cover all areas for similar values for the benefits and salary.

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Public comment closed.

MOTION by McDermid/Lynn to approve Resolution 2015R-052; carried unanimously.

COMMUNITY DEVELOPMENT

10. For possible action. Discussion to approve expanding the use of existing funding within Erosion Control Fund 245 specifically for Lake Tahoe Total Maximum Daily Load (TMDL) Maintenance, and transferring the past and future \$5,000 annual contributions dedicated for the maintenance of Warrior Way Water Quality Improvements into a new department for use on any TMDL related maintenance expense, including Warrior Way; authorizing the Community Development Director or their designee with sole authorization to use these funds. (Erik Nilssen)

Erik Nilssen, County Engineer, explained in 2012 Warrior Way was a water quality improvement project that was completed. As part of the grant they were required to have 20 year maintenance funding available. In April 2010 it was approved that \$5000 a year would be set aside for the maintenance of Warrior Way. In 2013 Douglas County entered into a Memorandum of Understanding (MOU) with the Nevada Division of Environmental Protection (NDP) to reduce fine sediment particles from entering Lake Tahoe. Every year they need to register certain catchments to show NDP that we are reducing fine sediment particles. After the catchments are registered they need to give NDP an annual report of maintenance. As they go through the years the MOU will have more catchments that are registered and more proof of maintenance they need to provide. They are waiting for NDP's final version of the protocol before they start to register the catchments. Since they haven't registered any catchments yet they don't have to provide proof of maintenance. The item being presented today is to use the money that has been set aside for Warrior Way for any maintenance in Lake Tahoe TMDL including Warrior Way and to create a new sub-fund under Erosion Control specifically for Lake Tahoe TMDL maintenance that only the Community Director would have the authority to use.

Commissioner Penzel asked if any portion of this was going to be accomplished by a subcontractor. Mr. Nilssen responded yes, contractors would be used for the actual maintenance.

No public comment.

MOTION by Lynn/Penzel to approve expanding the use of existing funding within Erosion Control Fund 245 specifically for Lake Tahoe TMDL Maintenance, and transferring the past and future \$5,000 annual contributions dedicated for the maintenance of Warrior Way Water Quality Improvements into a new department for

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use on any TMDL related maintenance expense, authorizing the Community Development Director or their designee with sole authorization to use these funds; carried unanimously.

COUNTY MANAGER

11. For possible action. Discussion on and presentation by Walker and Associates on an update regarding 2015 State of Nevada legislative activities. (Mary and Steve Walker)

Mary Walker provided a summary and update of some of the Bills they were monitoring and their outcome. There were over 1000 Bills introduced and the Walkers monitored about 500 of them for the counties. Ms. Walker thanked the board members and county staff for all their hard work. She commented it was an excellent session and they had Bills pass that they have been trying to get passed for almost 30 years. Ms. Walker discussed the Child Protective Services Bill and the error made by the State. The Governor agreed to put in an amendment to correct the error but the error was not reversed. She believes in the next year to 18 months Douglas County should look at what its options are and which way to go.

Commissioner Thaler stated taking on Child Protective Services could be a huge project for Douglas County however; we could get better service and savings if we take it on. He believes this could be a win/win for everybody.

Ms. Walker commented they would be providing a list of all the Bills passed with the effective date and a link so staff can review.

Steve Walker provided a summary and update on the water and resource Bills they were monitoring for Douglas County and the outcome of those Bills. Out of the eight Water Bills only two made it through.

Chairman Johnson commented that because of the Open Meeting Law the Commissioners were unable to get together to discuss what was happening with the Legislature and two Commissioners ended up not being in the loop. He's hoping to figure out a better way in the future to pass information along without violating the Open Meeting Laws.

Commissioner Thaler asked Steve and Mary Walker what they learned this year that they might be able to use in the next session. Ms. Walker responded one thing she learned is the Republicans ran the Legislature in a very business-like manner. Committees started on time and then processed Bills within a week of hearing them. She sincerely appreciated the business-like manner in which it was run. She does

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have a concern that the Democrats might come in in the next session and change some of the wins the Republicans had in this session.

Mr. Walker commented the Democrats hung together and the Republican didn't.

Commissioner Penzel suggested over the course of a few years the Commissioners change positions so they all get a chance to go through a Legislative session.

Commissioner Lynn thanked Mary and Steve Walker for everything they did and stated it was a pleasure working with them.

Vice Chairwoman McDermid commented she was very thankful for the session they had with our Legislators at the beginning. She believes over the interim they should engage more with the Legislators, especially Senator Settlemyer, to start working on Bill drafts for 2017.

No public comment.

12. Reports/updates from County Commission members concerning the various boards and/or commissions that they may be a member of or a liaison to or meetings/functions they have attended. These boards/commissions/meetings include but are not limited to the: Nevada Association of Counties; Carson Water Subconservancy District; Lake Tahoe Visitors Authority; Tahoe Regional Planning Agency; Law Library; NevadaWorks; Carson Valley Chamber of Commerce, Carson Valley Visitors Authority; Tahoe Douglas Visitors Authority; Lake Tahoe South Shore Chamber of Commerce; Western Nevada Development District; Regional Transportation Commission; Nevada Tahoe Conservation District; Nevada V & T Railroad Commission; Joint Powers/Waste Management; Tahoe Transportation District, and the Debt Management Commission. There will be no discussion or action taken on these reports/updates.

Commissioner Penzel commented the Chamber of Commerce had a really interesting presentation by the South Lake Tahoe Public Utility District. They discussed their conservation issues, what they are doing and what efforts Governor Brown is going through to personally manage all the districts and the California Legislature is passing a Bill to combine all the various districts in South Lake Tahoe on the California side. Usually what happens is some Legislator from Nevada copies the legislation in California. He mentioned this because there had been discussion of combining some of the GIDs up at the Lake and if the drought becomes an issue he feels they should be looking proactively at how that would happen and what they would do. He then moved on to the Nevada Tahoe Conservation District and how they are aware of a Bill that has to do with a Conservation Tax; how that will work; and what they have to do to get it through. Douglas County has three Conservation Districts, does that mean we would have three separate set of taxes? And is this a tax

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or a fee? If it's a tax does it go against the 3.66 limitation and if it does would reallocation be necessary? This could become a big issue because two of the districts do not have any form of funding other than grants. This would provide stable funding for them.

Chairman Johnson wanted to point out that they did not support any tax increase Bills that went through legislation this session.

CLOSING PUBLIC COMMENT (No Action)

No public comment.

MOTION by McDermid/Thaler to adjourn the meeting; carried unanimously.

There being no further business to come before the Board, the meeting adjourned at 3:12 p.m.

Respectfully submitted:

Doug N. Johnson, Chairman
Douglas County Board of Commissioners

ATTEST:

Kathy Lewis, Clerk-Treasurer